

NEWSLETTER - February 2020

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Minutes from every coalition meeting are available on our website under the "What We Do" section.

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Visit the "What We Do" page to see the latest meeting minutes, special projects, and newsletter archive.

Preparing for SAAM 2020

With April's Sexual Assault Awareness Month around the corner, we are pleased to remind members and stakeholders to share your initiatives and events with DCCESV. We will be happy to feature these efforts on the events page of our website, as well as on DCCESV social media. If you are interested in having an event added to the Coalition site, please email hgoldstein@mencanstoprape.org.

Dr. Allison Jackson: Washingtonian of the Year

Just before the end of 2019, Dr. Allison Jackson was recognized as a Washingtonian of the Year for her work at Children's National's Child and Adolescent Protection Center. DCCESV is pleased to congratulate Dr. Jackson for this honor and the crucial work it recognizes. Beyond her incredible work treating and serving children as a child-abuse pediatrician, she mentors and trains hopefuls in the medical field as an associate professor at George Washington University Medical Center. She critically centers the needs of children not only in her immediate patient care, but also in her advocacy, which includes working to have child abuse included in every med-school curriculum. [To read the full profile on the Washingtonian, click here.](#)



Organization Spotlight: DAWN

DCCESV is proud to recognize DAWN this quarter for their work in promoting healthy relationships and reducing abuse in the Deaf community of Washington, DC and its surrounding areas.

DAWN is a non-profit based in Washington, DC that supports Deaf, Hard of Hearing, and DeafBlind communities through an array of survivor and crisis-intervention services. The organization lifts up the ways in which intersecting identities contribute to dynamics of power, control, and violence that contribute to aggression and violence against Deaf people of all identities. By recognizing the intersectionality of victims, DAWN works with survivors whose identities may decrease their access to safety and autonomy.

This approach is evident in DAWN's commitment to connecting survivors to community-based healing services, along with an emphasis on self-determination in its approach to crisis management. In addition to the broad survivor services offered by DAWN—which include, among other things, peer advocacy, counseling, and resiliency education—the organization provides recourse to survivors by presenting alternative options that do not engage the criminal justice system. Out of a recognition of the systematic discrimination people of color and survivors face, DAWN connects survivors to alternative services that include restorative justice approaches, non-traditional healing services, and collaboration with cultural agencies and organizations.

This work touches all areas of DC's Deaf community, and even engages members of the non-Deaf community to extend its mission. Through public speaking, events, and educational materials, DAWN provides programming targeted for youth, men and boys, and the hearing community to engage DC at large in their work.

DAWN can be reached at hotline@deafdawn.org. To learn more about DAWN, visit their website, www.deafdawn.org.



A Way Around the Statute of Limitations: a New Approach to Assault Cases

By Hannah Goldstein, Program Coordinator, Men Can Stop Rape

As we know, survivors of sexual assault often hesitate to come forward. Potential repercussions can not only be damaging, but retraumatizing. And, because of the statute of limitations that restricts the timeframe within which allegations can be made and charges can be brought, survivors who are not prepared or able to bring forward accusations of sexual misconduct within this timeframe may find themselves without legal recourse.

Defamation lawsuits are an increasingly popular response to this problem. The New York Times recently reported that defamation cases are emerging as a litigious trend in the wake of the #MeToo movement. Where the statute of limitations may keep survivors from seeing a perpetrator brought to justice in court, defamation cases are being sought out by legal teams as an alternative way to get there.

To be sure, pursuing this kind of workaround is not without its implications. For one, defamation is a civil wrong—a tort—with no criminal charges affiliated. Some of the consequences that follow a sexual assault conviction do not apply: prison sentences or felony designations, for example. However, justice need not be confused with criminal penalty; for some, the opportunity to tell their story in a court of law is its own kind of affirmation.



Journalist Sandra Muller was sued for defamation by a former executive for #MeToo allegations she made about him on social media

For victims, the result of successfully bringing a defamation case is twofold. First, as is typically the case with defamation suits, it deters and prevents the party from making damaging speech about the victim. In the case of victim-survivors, this discourages accused perpetrators from tarnishing their accuser's reputation by painting them as a liar, attention-seeker, or otherwise. The second outcome is that it becomes a way for victims to have their claims validated as true by a court. Finding that the accused is indeed guilty of defamation can be an indirect way of acknowledging the truth of a survivor's claims.

This tactic, however, is also adopted by alleged perpetrators to protect against damages to their reputation in the face of accusations. For example, in a high-profile case that will likely be heard in

Virginia this summer, Johnny Depp will sue his former spouse Amber Heard for claiming she was a victim of domestic abuse at his hands.

People on both sides of this issue recognize that the way courts respond to this emerging trend will set a legal precedence that could be a slippery slope. On the one hand, an onslaught of opinions that side with survivors could skew the system to silence people who are wrongfully accused, and will prevent people from being able to defend themselves in the face of an accusation. At stake here, some argue, is the notion of free speech itself. On the other hand, if courts are to side largely with accused perpetrators and find them innocent of defamation, there is a fear that victims will be further silenced, subjected to the perils of powerful people dismissing their stories.

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It merits acknowledging that this approach is an imperfect strategy beyond the symbolic and real implications of future court decisions. Fundamentally, this is a tactic that can be employed by people of stature and means. Because an individual must bring a civil case—and foot the bill—survivors whose cases may be beyond the statute of limitations can only consider this kind of suit a real option if they can independently afford it. Further, one must successfully prove that one’s reputation was

damaged—what, then, does this leave for survivors who are at the margins of society already? Who may not, in the eyes of a court, have reputations to defend? It is true, then, that this roundabout approach to seeking justice for an assault remains accessible to a slim, and perhaps visible, population of survivors.

In the aftermath of #MeToo, some advocates are calling for the elimination of a statute of limitations on cases of sexual assault—that is, criminal cases. Defendants of the statute of limitations argue that, over time, evidence becomes less reliable, and that time-caps safeguard against unjust convictions. Opponents counter that attackers don’t become less culpable with the passage of time, and that often, “memories of highly stressful and traumatic experiences, at least their most central details, don’t tend to fade over time” (*Scientific American*, September 2018). Advocates contend that in full acknowledgement of the trauma survivors face, states ought to recognize that it may be decades before survivors are willing to come forward.

Some states are indeed taking steps to find a middle ground for statutes of limitation in the wake of realizations wrought by #MeToo. According to reporter Jenny Singer, “in the past two years, 15 states have either nixed or extended their criminal and civil statutes of limitations.” Among other things, the hope is that this will give child and adolescent survivors more spaciousness to seek justice if emotional, legal, familial, and financial constraints kept them silent for years after their assault.

Ultimately, defamation cases are a kind of imperfect legal gymnastics appropriate for a system still grappling with how to address sexual violence. Moving forward, it is the task of the American judicial system to address how best to handle cases of assault within an existing structure; it is the task of American society at large to reexamine the relationship between our cultural understanding of assault and the efficacy of our systemic response to it.

Where Do You Stand?

Everything Men Can Stop Rape has learned about creating public education campaigns for young men and boys during the past 20 years has gone into the creation of our new Where Do You Stand? (WDYS) Campaign. The tested, research-based WDYS messages and images show young men positively role modeling bystander intervention and consent. Purchase a WDYS bundle to have all the materials customized to match your campus or community, as well as your logo and contact information. Learn more about the bundles at wdys.shop.



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